

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE BED BATH & BEYOND INC.
SECTION 16(b) LITIGATION

Case No. 1:22-cv-09327-DEH

This document relates to:

Augenbaum v. RC Ventures LLC et al.,
Case No. 1:22-cv-09327-DEH

DECLARATION OF JEFFREY S. ABRAHAM

I, Jeffrey S. Abraham, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a partner of Abraham, Fruchter & Twersky, LLP, counsel to Plaintiff Todd Augenbaum. I submit this declaration in opposition to Defendants' amended omnibus motion to dismiss (ECF No. 64).

2. Exhibits A through G to Plaintiff's opposition to amended omnibus motion to dismiss are attached to my declaration of March 24, 2023 previously filed with the Court (ECF No. 47).

3. Attached hereto as Exhibit H is a true and correct copy of a letter Ryan Cohen sent to Bed Bath & Beyond Inc. ("BBBY") that was filed with the U.S. Securities and Exchange Commission (the "SEC") on March 7, 2022.

4. Attached hereto as Exhibit I is a true and correct excerpt of the Form 10-K annual report that BBBY filed with the SEC on March 7, 2022.

5. Attached hereto as Exhibit J is a true and correct copy of the Declaration of Todd Augenbaum.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 22, 2023.

/s/ Jeffrey S. Abraham
Jeffrey S. Abraham